



*The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133

HAZARDOUS WASTE COMMISSION - CHAIRMAN

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Site New Bedford  
Date: 10.6  
Order: 222695

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October 18, 1984

Committees  
Natural Resources and  
Agriculture

Public Safety

ROOM 489, STATE HOUSE  
TEL. 722-2017

Gerry Sotolongo  
U.S. Environmental Protection Agency  
J.F.K. Federal Building  
Boston, MA 02203

Dear Mr. Sotolongo,

Years of research, public and private meetings, deliberations, and planning have brought us to this most critical stage in the long process of review and assessment of New Bedford's toxic waste problems--the action phase. As we begin to enter the engineering design and remedial action phases of the clean-up program, there is even greater urgency for the cooperative involvement of all parties - including federal, state and local government officials, private industry, environmental groups and the public.

Everyone's goal is the expeditious removal or capping of PCB's contained in New Bedford's Superfund sites and neutralization of the health impacts which may be posed by PCB contaminants in the city's air, land and water. Toward this end, while it is clear that the most economically feasible option for the hot spot site is hydraulic control and sediment capping, we find we must weigh not only the monetary costs of each clean-up option, but the social, environmental, public health and economic costs as well.

It is imperative that we err on the side of caution when choosing the means of disposing of the PCB contaminated sediments. I quote from a National Wildlife Federation Toxic's Division report:

"There is mounting evidence that disposal sites receiving toxic wastes cleaned up from abandoned dumps are becoming hazardous themselves. EPA contends that perhaps more than 20 of the 70 sites that have received Superfund wastes may be leaking or have inadequate monitoring for underground pollution. It is conceivable that some of these disposal dumps may end up as new Superfund sites."

Though the costs may be higher in the short term, we have no choice but to opt for the lasting solution to New Bedford's hazardous waste emergency. Failing this, the PCB poisons will surely come back to haunt us.

NO ACTION

I urgently request the "no action" alternative be immediately dispelled from further consideration. I concur with NUS that this

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option is important only as a comparative baseline for evaluation of the other alternatives. Under no action, PCB's contained in the sediments would remain available to benthic organisms; and through bioaccumulation at each trophic level in the food chain, PCB's would continue to pose a severe health threat to area residents who consume finfish and lobster. Danger from contact with contaminated sediments and inhalation of ambient air would also persist. Equally threatening would be the migration of PCB's from the hot spot area to the outer reaches of the harbor and into Buzzards Bay, resulting in more extended contamination of our coastal fishery. The marine environment and fishery resource miles from shore would risk contamination from PCB's traveling via normal tidal flows and storm currents out to sea. Should a hurricane equal in force to the 1938, 1944, or 1954 storms hit our coast, there would be a disastrous spread of PCB's into the open ocean.

Over 90% of all marine life spend at least part of their life cycle in coastal bays and estuaries - including New Bedford's inlets and estuaries - adding uncontestable support to the critical nature of the New Bedford contamination. Already the Georges Bank and Grand Bank fisheries are showing signs of contamination from PCB's.

Neutralization of the health impact is number one. Incidental to achieving that goal, remedial action must preclude additional fishing and shellfishing restrictions and facilitate lifting of existing harvest bans.

The particular types of PCB's lining the harbor add to the urgency of choosing some form of clean-up. It is my understanding that Aroclors 1242, 1016, 1254 and 1252 have high chlorine content and hence are potentially more toxic than some of the other PCB types. Allowing these PCB's to remain in the river and estuary under the no action alternative is an unacceptable risk.

We must keep in mind that PCB's are not the only contaminant in the harbor threatening public health. Heavy metals contained in the sediments are equally dangerous and perhaps more so, as their health affects have generally been proven. In cleaning up the PCB's, copper, chromium, zinc, lead, and other toxic heavy metals will also be contained or removed, a secondary and crucial health benefit to the area population.

#### SELECTION OF REMEDIAL ACTION TECHNOLOGIES

So the need for some form of clean-up is certain. Criticism is now due NUS's methodology used in development of remedial action alternatives, particularly failure to include in the executive summary the precise parameters within which various technologies were judged.

The last sentence under "Overview of Methodology" in the executive summary, pp. 11-12, reads: "...The most cost-effective alternatives for the remediation of hot spot areas in the Acushnet River Estuary were subsequently identified and recommended..." What is meant by "cost-effective"? How were these identifications and recommendations made? Precisely what considerations were given to health risks and environmental impacts?

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I am compelled to raise issue with NUS regarding their statement that "...a/ll in-situ treatment technologies and PCB separation removal, and extraction technologies were eliminated because they have not been demonstrated for the intended application. All but one of the PCB destruction technologies were eliminated..." On the contrary, I have read information on the biological detoxification approach to solving hazardous waste problems which infer that toxics separation and biodegradation are viable remedial options currently in use for PCB's. I have been in touch with one out-of-state firm that believes biodegradation would be effective at the New Bedford site. I strongly recommend this clean-up option be more thoroughly investigated, that EPA direct NUS to document and make public criticisms of this technique. Otherwise, exclusion of the biodegradation option may be publicly perceived as a bias and arbitrary ruling by EPA.

Page 14, "Secondary Screening of Remedial Action Technologies," raises still more questions in my mind as to how specific hydraulic control, solids dewatering, sediment dispersal, and particularly sediment dredging technologies were selected. The feasibility study must contrast these technologies verbally and diagrammatically for the reader.

Without a clear understanding of what the criteria are, it is impossible for the general public to carry out constructive review and evaluation of alternative methods of clean-up. I realize the criteria may be spelled out in the complete text of the feasibility study report, however the general public are more apt to review the executive summary and its addendum. At the very least, the reader should be referred to the complete text for more information on how NUS screened technology options.

#### DEVELOPMENT OF REMEDIAL ACTION ALTERNATIVES

I cannot over-emphasize the danger in choosing a band-aid solution to the harbor contamination. Hydraulic control and sediment capping, in my opinion, is clearly a band-aid approach to the problem. In terms of cost, it is the most attractive alternative; however numerous other factors make it potentially the most costly over the long term.

First, hydraulic control will necessitate complete alteration of the upper harbor and destruction of the highly productive estuaries. This is unacceptable. We must push for a complete remedy to the environmental impact, not choose action which will cure one problem and create another. All along the Massachusetts coast, estuaries are suffering greatly from point-source toxic and benign waste discharges and non-point source urban and agricultural run-off. Development has completely destroyed numerous estuarine systems. EPA has the opportunity to work against this trend in New Bedford by eliminating hydraulic control from the list of clean-up options, selecting instead a clean-up strategy which will preserve the natural integrity of the Acushnet River estuary.

Secondly, a sediment capped site of that great an area will likely be a burden to the community in years to come, requiring regular upkeep and maintenance work. Furthermore, it appears the PCB's could very easily re-surface with time, or they might make their way to the groundwater system. Although aquifers in the immediate vicinity of the harbor and estuary are saline, PCB's might still make their way through the saltwater-freshwater interface over time, contaminating the potential public water supplies underlying New Bedford and area towns.

All the remaining alternatives would preserve the natural integrity of the upper harbor, boost the health and productivity of the estuaries, and perpetuate the fishery resource north of the Coggeshall Street Bridge. No one option is perfect, however certainly one may be chosen which best protects public health and the environment over the long term and which is economically feasible as well.

I am continuing my review of the feasibility study with my staff and will be submitting more extensive and detailed comments to you by the November 15 deadline. This letter outlines my immediate and most pressing concerns which should be addressed at the public hearing in Fairhaven on October 25.

I look forward to seeing you at the public meeting and to hearing public comments at that time on the remedial action alternatives. It is my hope that all concerns are carefully considered by EPA, so that the most viable and lasting solution can be chosen which is protective of the public interest, health and natural resource values.

Sincerely,



Roger R. Goyette  
State Representative

RRG/gb

cc: Ad Hoc Committee for the Acushnet River Estuary

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